

Message Text

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ACTION EA-09

INFO OCT-01 AF-08 EUR-12 NEA-10 IO-13 EAE-00 L-03 EB-07

SS-15 CCO-00 CIAE-00 OTPE-00 FCC-01 INR-07 NSAE-00

OC-06 COME-00 BIB-01 DODE-00 PM-04 H-02 NSC-05 PA-01

PRS-01 SP-02 NASA-01 OES-06 ERDA-05 SSO-00 INRE-00

NSCE-00 USIE-00 ERDE-00 ARA-06 ISO-00 /126 W

----- 082067

O 301304Z SEP 76

FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC IMMEDIATE 2852

INFO AMEMBASSY TAIPEI IMMEDIATE

AMEMBASSY ISLAMABAD

USMISSION GENEVA

AMEMBASSY LONDON

C O N F I D E N T I A L NAIROBI 10667

DEPT PASS SECRETARY

E. O. 11652: GDS

TAGS: INTELSAT, OGON, PFOR, CH, TW, PK

SUBJ: INTELSAT: CHINA

REF: (A) NAIROBI 10576, (B) NAIROBI 10625, (C) STATE 242269

SUMMARY: THE INTELSAT ASSEMBLY ADOPTED BY CONSENSUS DEPTEMBER 30 A RESOLUTION (TEXT IN PARA 2 REF A) WELCOMING THE PRC TO JOIN THE ORGANIZATION. FURTHER REVISION IN LANGUAGE WAS NOT FOUND POSSIBLE. THE ACTION LEAVES OPEN THE POSSIBILITY FOR TAIWAN'S CONTINUED ACCESS TO THE SYSTEM. END SUMMARY.

1. THE INTELSAT ASSEMBLY ADOPTED BY CONSENSUS SEPT 30 THE RESOLUTION WELCOMING THE PRC TO JOIN INTELSAT, THE TEXT OF WHICH WAS CONTAINED IN PARA 2 OF REF A.

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FOLLOWING A VERY MODERATE INTRODUCTION OF THE RESOLUTION

BY PAKISTAN ON BEHALF OF THE EIGHT COSPONSORS, 27 DELEGATIONS REPRESENTING ALL REGIONS SPOKE IN HIGHLY SIMILAR TERMS IN SUPPORT OF ITS ADOPTION. MORE DELEGATIONS WERE PREPARED TO DO SO WHEN SWEDEN MANAGED TO OBTAIN IMMEDIATE ADOPTION BY CONSENSUS. (PRIOR ARRANGEMENT AMONG KENY DELEGATIONS TO ACHIEVE QUICK ADOPTION BY CONSENSUS RATHER THAN RISK HAVING INTERVENTIONS WHICH MIGHT WANDER INTO SENSITIVE AREAS BROKE DOWN AS THE CHAIRMAN IGNORED FOUR DIFFERENT MOVES FOR ADOPTION BY CONSENSUS AND INTERVENTIONS CONTINUED TO RUN ON UNTIL SWEDEN MOVED STRONGLY FOR THIS.) UGANDA AND PHILIPPINES SPOKE IN SUPPORT OF "ADMISSION" OF THE PRC, BUT THESE EXPRESSIONS WERE GIVEN NO STANDING. BARBADOS QUALIFIED ITS SUPPORT BY MAKING IT SUBJECT TO THE PROVISION OF SOME ACCOMMODATION OF TAIWAN'S COMMUNICATIONS REQUIREMENTS.

2. THE U.S. INTERVENED AFTER ADOPTION AND ASKED THAT THE RECORD CONTAIN THE U.S. POSITION IN ACQUIESCING TO ADOPTION OF THE RESOLUTION BY CONSENSUS. THE U.S. REPRESENTATIVE THEN READ INTO THE RECORD BASED ON POINTS CONTAINED IN REF C PARA 1, REGRETTING THE POLITICAL OVERTONES INEVITABLY INTRODUCED INTO THIS TECHNICAL ORGANIZATION BY ADOPTING UNNECESSARILY THIS RESOLUTION, BUT EXPLAINING THAT WILLINGNESS TO GO ALONG WITH THE CONSENSUS SHOULD BE TAKEN TO REFLECT THE IMPORTANCE THE U.S. ATTACHES TO THE CONTINUED SOUND WORK OF THE ORGANIZATION ON ITS TECHNICAL OBJECTIVES.

3. GUATEMALA (SPEAKING ON BEHALF ALSO OF THE DOMINICAN REPUBLIC) AND SAUDI ARABIA ALSO INTERVENED AFTER ADOPTION OF THE RESOLUTION. GUATEMALA STIPULATED THAT THE PRC SHOULD "IN DUE TIME APPLY" FOR ENTRY INTO THIS "NON-POLITICAL" ORGANIZATION, AND STATED THAT THE ASSEMBLY ACTION SHOULD NOT DEPRIVE THE PEOPLE OF TAIWAN OF THE RIGHT TO USE INTELSAT. SAUDI ARABIA STATED THAT ITS CONCURRENCE IN THE ADOPTION OF THE RESOLUTION WAS QUALIFIED BY A RESERVATION IT WOULD SUBMIT IN WRITING. (THIS, WE ARE INFORMED, WILL ALSO AFFIRM THE RIGHT OF CONTINUED ACCESS BY TAIWAN.) THEREAFTER THE CHAIRMAN, WITHOUT OBJECTIONS, CUT OFF FURTHER EXPLANATIONS. CONFIDENTIAL

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4. THE INTELSAT LEGAL ADVISOR HAS CONCLUDED THAT THE RESOLUTION AS ADOPTED AND EXPLAINED IN THE ASSEMBLY (A) WILL PERMIT THE GOVERNING BOARD IN OCTOBER TO TENDER THE RETURN OF THE TAIWAN INVESTMENT, (B) DOES NOT PROVIDE ANY GROUNDS FOR OTHER THAN CONVENTIONAL ACCESSION BY THE PRC, AND (C) LEAVES THE WAY OPEN FOR CONTINUED ACCESS BY TAIWAN TO THE SYSTEM. THE ONLY QUALIFICATION TO THE LAST IS THAT

THE PRC BY JOINING INTELSAT CAN NOW PUT ITSELF IN A POSITION TO IMPEDE CONTINUED ACCESS BY TAIWAN SHOULD IT EVER WISH TO DO SO.

5. COMMENT: THE RESOLUTION WAS TAKEN UP AS THE FIRST ORDER OF BUSINESS SEPT 30. NO ONE APPEARED UNPREPARED TO ACT ON IT, AND MANY UNDERSTOOD IT HAD BEEN DEFERRED UNTIL THEN MAINLY TO PERMIT THE U.S. TO ARRIVE AT A POSITION. EXCEPT FOR THE POSITION THE U.S. MIGHT TAKE, THE OUTCOME WAS A FOREGONE CONCLUSION, AND UNDER THESE CIRCUMSTANCES THERE WAS NO REALISTIC POSSIBILITY OF EFFECTING FURTHER CHANGES IN LANGUAGE ALONG THE LINES SUGGESTED IN REF C PARA 2.

6. THE VIEW OF MOST DELEGATIONS WAS THAT THE U.S. DELEGATION, THROUGH ITS INFORMAL CONVERSATIONS WITH THE PAKISTANI DELEGATION EARLIER IN THE WEEK, HAD BEEN INSTRUMENTAL IN BRINGING ABOUT RADICAL REVISIONS IN THE DRAFT RESOLUTION AND ITS UNDERLYING STRATEGY AND, HAVING REMOVED THE MAIN GROUNDS FOR CONCERN IN THE EARLIER VERSIONS, LITTLE OR NO SUPPORT WOULD BE FOUND FOR FURTHER MODIFICATION. IN THE EYES OF EVEN THOSE DELEGATIONS MOST SYMPATHETIC TO US, THE CRITICAL CONSIDERATIONS (AS SUMMARIZED BY THE LEGAL ADVISOR IN PARA 4 ABOVE) COULD BE PRESERVED UNDER THE PRESENT TEXT, AND ANY FURTHER DEBATE WOULD ONLY RISK COMPROMISING THEM. MOST IMPORTANTLY, THE ASSEMBLY ACTION BECAME A POSITIVE ONE OF WELCOMING AND INVITING PRC ACCESSION (NOT SUBSTITUTION), RATHER THAN A NEGATIVE ACT OF EXPELLING TAIWAN AND INVALIDATING THE RECORD OF ITS PARTICIPATION, AS ORIGINALLY ENVISAGED, WITH ALL OF THE LEGAL, POLITICAL AND PRACTICAL IMPLICATIONS THIS WOULD HAVE ENTAILED.

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NOTE BY OC/T: NAIROBI 10667 NOT PASSED THE SECRETARY.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SCIENTIFIC COOPERATION, MEMBERSHIP, COMMUNICATION SATELLITES
Control Number: n/a
Copy: SINGLE
Draft Date: 30 SEP 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976NAIROB10667
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760368-1141
From: NAIROBI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976093/aaaaabut.tel
Line Count: 156
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 NAIROBI 10576, 76 NAIROBI 10625, 76 STATE 242269
Review Action: RELEASED, APPROVED
Review Authority: coburnhl
Review Comment: n/a
Review Content Flags:
Review Date: 12 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 MAY 2004 by greeneet>; APPROVED <13 SEP 2004 by coburnhl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: INTELSAT: CHINA
TAGS: OCON, PFOR, CH, TW, PK, INTELSAT
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006